

AK

Notice of Allowability	Application No.	Applicant(s)	
	10/761,377	YAMADA, FUJIKI	
	Examiner	Art Unit	
	Carol S. Tsai	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/1/2005.
2. ☒ The allowed claim(s) is/are 3-5, 7-10, 14-21, and 25, now drenumbered as 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

1. Claims 3-5, 7-10, 14-21, and 25 are allowed.
2. The following is an examiner's statement of reasons for allowance:

U. S. Publication 2002/0161495 to Yamaki is the reference closest to the claimed invention. Yamaki disclose an electronic control unit comprising a first computer and a second computer, characterized in that: the first computer includes a first diagnostic means for diagnosing operation of the first computer by performing a first diagnosis and a second diagnosis, in which a first value and a second value are calculated using at least two kinds of operations, a first comparison is performed between the first value and a pre-stored first reference value for determining whether a relationship between the first value and the first reference value is normal, and a second comparison is performed between the second value and a pre-stored second reference value for determining whether a relationship between the second value and the second reference value is normal; the first computer further includes a data transmitting means for sending a first set of diagnostic data regarding the first diagnosis and a second set of diagnostic data regarding the second diagnosis, respectively; the second computer includes a data receiving means for receiving the first set and the second set of diagnostic data; and the second computer further includes a second diagnostic means for determining whether the first diagnostic means normally operates based on the first and the second diagnostic data; the data transmitting means sends the first set of diagnostic data including the first calculated value and the first reference value as the first diagnostic data, and the second set of diagnostic data

Art Unit: 2857

including the second calculated value and the second reference value as the second diagnostic data; and the second diagnostic means performs a third diagnosis for determining whether a result of the first comparison is normal, and a fourth diagnosis for determining whether a result of the second comparison is normal. However, Yamaki does not teach the first diagnostic means regularly performs the first comparison the second comparison; the data transmitting means sends any one of the first set of diagnostic data and the second set of diagnostic data whichever most recently generated; and the second diagnostic means determines that the first diagnosis is halted when a period during which the receiving means has not received the first set of diagnostic data exceeds a predetermined reference period, and that the second diagnosis is halted when a period during which the receiving means has not received the second set of diagnostic data exceeds the predetermined reference period; and including all of the other limitations in the respective independent claims.

U. S. Publication 2002/0161495 to Yamaki is the reference closest to the claimed invention. Yamaki disclose an electronic control unit comprising a first computer and a second computer, characterized in that: the first computer includes a first diagnostic means for diagnosing operation of the first computer by performing a first diagnosis and a second diagnosis, in which a first value and a second value are calculated using at least two kinds of operations, a first comparison is performed between the first value and a pre-stored first reference value for determining whether a relationship between the first value and the first reference value is normal, and a second comparison is performed between the second value and a pre-stored second reference value for determining whether a relationship between the second value and the second reference value is normal; the first computer further includes a data

Art Unit: 2857

transmitting means for sending a first set of diagnostic data regarding the first diagnosis and a second set of diagnostic data regarding the second diagnosis, respectively; the second computer includes a data receiving means for receiving the first set and the second set of diagnostic data; and the second computer further includes a second diagnostic means for determining whether the first diagnostic means normally operates based on the first and the second diagnostic data. However, Yamaki does not teach the first computer and the second computer being both provided in a vehicle; and including all of the other limitations in the respective independent claims.

U. S. Publication 2002/0161495 to Yamaki is the reference closest to the claimed invention. Yamaki disclose an electronic control unit comprising a first computer and a second computer, characterized in that: the first computer includes a first diagnostic means for diagnosing operation of the first computer by performing a first diagnosis and a second diagnosis, in which a first value and a second value are calculated using at least two kinds of operations, a first comparison is performed between the first value and a pre-stored first reference value for determining whether a relationship between the first value and the first reference value is normal, and a second comparison is performed between the second value and a pre-stored second reference value for determining whether a relationship between the second value and the second reference value is normal; the first computer further includes a data transmitting means for sending a first set of diagnostic data regarding the first diagnosis and a second set of diagnostic data regarding the second diagnosis, respectively; the second computer includes a data receiving means for receiving the first set and the second set of diagnostic data; and the second computer further includes a second diagnostic means for determining whether the

Art Unit: 2857

first diagnostic means normally operates based on the first and the second diagnostic data. However, Yamaki does not teach the first computer and the second computer being located locally with respect to each other; and including all of the other limitations in the respective independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. W. Tsai whose telephone number is (571) 272-2224. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2857

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

cswt
November 09, 2005



Carol S. W. Tsai
Primary Examiner
Art Unit 2857